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TECH CENTER 1600/2900 PATENT
Customer No. 22,852
Attorney Docket No. 5725.0321-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Bertrand PIOT et al.) Group Art Unit: 1617
Application No. 09/866,731) Examiner: G. Yu
Filed: May 30, 2001)

For: MASCARA COMPRISING A MIXTURE OF HARD WAXES AND
OF FILM-FORMING POLYMER

Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the document listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00, as specified by Section 1.17(p).

A copy of the listed document is attached. The cited document and the previously cited EP 0 639,371 A1 (Document 15 of the PTO-1449 initialed and returned with the 9/13/01 Office Action) both claim priority to French Patent Document FR 93 010160, filed August 20, 1993.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claims in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should it be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 14, 2002

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